

## **SB 1574 (Kuehl)**

### *Ensuring Objective Delta Study*

#### **Background:**

Last year, the Legislature passed and the Governor signed AB 1200 (Laird). That bill requires the Department of Water Resources (DWR) and the Department of Fish and Game (DFG) to identify, evaluate, and comparatively rate the principal options available to implement certain objectives that relate to the Sacramento-San Joaquin Delta or the Sacramento and San Joaquin river systems. The bill also requires the departments to jointly report to the Legislature and the Governor the results of their evaluations and comparative ratings, as specified, no later than January 1, 2008.

About the time that the Legislature passed AB 1200, the staff of the California Bay-Delta Authority proposed to develop a “delta visioning” process. The details of the proposed delta visioning process seem to still be changing. However, many believe that one of the purposes of the delta visioning process is to formally recommend the construction of a peripheral canal or some other delta bypass conveyance facility.

If the delta visioning process is to be the justification for a peripheral canal, it is important to make sure that:

- the analysis is unimpeachable,
- the objectives are unbiased, and
- there is at least one credible alternative designed to reduce dependence on the delta for water supply through greater investments in local water supplies, water use efficiency, water recycling, demand management programs, and other actions outside the delta.

Senate Bill 1574 does just that.

#### **Bill Summary:**

Senate Bill 1574 would require:

- DWR and DFG to design and evaluate an option that would reduce dependence on the delta for water supply through greater investments in local water supplies, water use efficiency, water recycling, demand management programs, and other actions outside the delta.

- DWR to evaluate and comparatively rate each option for its ability to meet the following objectives:
  - Improve water supply reliability to current users of delta water.
  - Improve delta water quality for each beneficial use.
  - Reverse, stop, or reduce subsidence.
  - Protect water rights of the “area of origin.”
  - Protect highways, utility facilities, and other infrastructure located within the delta.
  - Preserve, protect, and improve delta levees.
  
- DFG to evaluate and comparatively rate each option for its ability to meet the following objectives:
  - The recovery of each delta-dependent species listed as threatened or endangered under either the California Endangered Species Act (CESA) or the federal Endangered Species Act (ESA)
  - The restoration of historic wetlands and aquatic and terrestrial habitat.
  
- DWR and DFG, on or before July 1, 2007, to provide a draft joint report to the Independent Science Board (ISB) of the California Bay-Delta Authority (CBDA), or its successor. The bill would require the ISB to provide DWR with an independent peer review of the draft report. The bill would require DWR to revise the draft joint report to reflect the comments of the peer review in the joint report.